

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MONTEZ HARRIS,

Petitioner,

v.

JOHN KERESTES, et al.,

Respondents.

:  
:  
:  
:  
:  
:  
:  
:  
:  
:  
:  
:  
:

CIVIL ACTION

NO. 11-3093

**ORDER**

**AND NOW**, this \_\_16th\_\_ day of December, 2014, upon careful and independent consideration of the Petition for a Writ of *Habeas Corpus* filed pursuant to 28 U.S.C. § 2254 (Doc. 1), and after review of the Report and Recommendation of United States Magistrate Judge Lynne A. Sitarski (Doc. 15) and Petitioner's Objections thereto (Doc. 19), **IT IS HEREBY ORDERED** as follows:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. The Petition for Writ of *Habeas Corpus* is **DENIED** and **DISMISSED WITHOUT AN EVIDENTIARY HEARING**; and
3. There is no basis for the issuance of a certificate of appealability.

**BY THE COURT:**

/s/ Petrese B. Tucker

---

**Hon. Petrese B. Tucker, C.J.**